



IN THE SUPREME COURT OF IOWA

**IN THE MATTER OF ACTIONS
TAKEN TO REDUCE JUDICIAL
BRANCH OPERATING EXPENSES**

SUPERVISORY ORDER

The State of Iowa is currently experiencing a significant shortfall in expected revenue. In anticipation of expected budget shortfalls and with awareness of its responsibility to be a good steward of public funds, the Judicial Branch has already undertaken many measures aimed at improving efficiency, eliminating waste, and otherwise working within its means.

However, in order to address the expected current budget shortfall and in recognition of the fact that upcoming budgets may require further austerity, the court finds it must with great reluctance reduce the level of service it provides to the public. These necessary hardships unfortunately will be borne by the public at large and also by the employees of the Judicial Branch. Because significant personnel cuts were made in 2002 in response to budget problems, followed by several years of hiring freezes, the court finds that further downsizing of its workforce is not feasible at this time.

Therefore, pursuant to its constitutional and statutory responsibility to administer the courts of this state, the Supreme Court of Iowa hereby orders, effective immediately:

1. All court offices, including clerk of district court offices and the office of the clerk of the supreme court, will be closed, and all court personnel except judges and magistrates will take unpaid leave on February 16, 2009. It is expected that additional days of unpaid leave may become necessary.
2. Judicial branch employees and judicial officers shall reduce all travel to a minimum; judge and court reporter travel expenditures shall be reduced by 60% for the balance of fiscal year 2009; juvenile court services travel expenditures shall be reduced by 25% for the balance of fiscal year 2009.
3. To attain these travel-reduction goals:
 - Chief judges of the judicial districts may reduce the frequency of court service days in each county;
 - Judges shall only travel outside of their county of domicile for court service days, specially assigned trial assignments, and criminal trials, but all civil bench trials shall be held in the county of the judge's residence;
 - Unless venue is in a county with a resident judge, criminal cases in which speedy trial has been waived or in which such speedy-trial deadline is not imminent shall be continued, unless defendant is in custody;
 - In cases in which a civil jury trial has been set to be held in counties where the scheduled judge does not reside, the litigants will be offered the opportunity to move the trial to the county of the judge's residence, otherwise the trial will be continued for the balance of the fiscal year or until the current budgetary crisis subsides as noticed by order of this court;
 - Travel to maintain the one judge/one family concept and to conduct juvenile court hearings is exempt from travel reduction.
4. Iowa Court Rules 22.6 and 22.8 concerning regularly scheduled court and trial sessions in the judicial districts are temporarily suspended, effective immediately, pending further notice of this court.
5. In view of the temporary suspension of rules 22.6 and 22.8, chief judges of the judicial districts shall accordingly update domiciles established pursuant to Iowa Court Rule 22.16(4)(b).

6. Remaining non-salary and travel line items in the judicial branch budget shall be reduced by 3%.
7. In accordance with Iowa Code section 4.1(34) (2009), when the last day for the commencement of an action or proceeding, the filing of a pleading or motion in a pending action or proceeding, or the perfecting of an appeal falls on a day on which the clerk of court is closed in whole or in part pursuant to the authority of the supreme court, the time shall be extended to include the next day that the office of the clerk of court is open.
8. If a deadline imposed by statute or rule for issuing an order, conducting a hearing, or sending notice falls on a day the clerk of district court is closed by this order, the time period for such action shall be extended until 4:30 p.m. of the next day the clerk of court is open.
9. Any duty to file a pleading or paper imposed by the Iowa Rules of Appellate Procedure that falls on a day that the clerk of the supreme court is closed pursuant to this order is extended to the next day the office of the clerk of the supreme court is open to the public.

Dated this 2nd day of February, 2009.

THE SUPREME COURT OF IOWA

By Marsha Ternus
Marsha K. Ternus, Chief Justice

Cc:
Members of the Court
Chief Judges
Clerk of Supreme Court
State Court Administrator
District Court Administrators